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Attorney for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SONY CORPORATION,

Plaintiff,

-against-

MIZCO INTERNATIONAL INC.,

Defendant.

13 CIV 00649 (CM)

**DECLARATION OF JOHN
D. D'ERCOLE IN
SUPPORT OF MOTION TO
EXTEND DEFENDANTS
TIME**

JOHN D. D'ERCOLE, pursuant to 28 U.S.C. §1746, declares as follows:

1. I am a member of the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C., counsel for the Defendant Mizco International, Inc. ("Mizco"). I submit this Declaration in support of Mizco's motion pursuant to the Court's Individual Rule I (E) for an order granting the Defendant an extension of time to respond to Sony's First Set of Requests for the Production of Documents and Things, dated June 26, 2013 (the "Document Request"), and Sony's First Set of Interrogatories Nos. 1-6, dated June 26, 2013 (the "Interrogatories").

2. Plaintiff served its Document Request and Interrogatories on June 26, 2013. The Defendant's time to respond to the Document Request and Interrogatories expires on July 26, 2013.

3. No previous request for an extension has been made.

4. The Defendant Sony Corporation consents to Mizco's request for an extension of time of two weeks to respond to the Document Request and Interrogatories.

5. The Defendant respectfully requests an extension of three weeks.

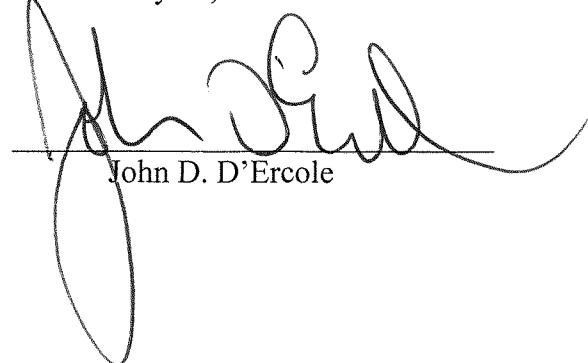
6. The officer at Mizco who has principal involvement in connection with all issues and documents related to the case had a serious medical condition in July 2013 which resulted in his absence from the Company's headquarters and the performance of his customary duties for a significant time frame.

7. Moreover, the parties are engaged in discussions concerning the language of a stipulated confidentiality agreement which are ongoing.

8. The requested extension does not affect any other scheduled dates.

9. Accordingly, it is respectfully requested that Mizco's motion for an order extending its time to respond to the Document Request and Interrogatories from July 26, 2013 to August 16, 2013 be granted.

10. I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 23, 2013.



John D. D'Ercole

A handwritten signature in black ink, appearing to read "John D. D'Ercole". The signature is fluid and cursive, with a large, stylized "J" at the beginning. It is positioned above a horizontal line on which the name is also printed in a smaller, sans-serif font.